

Docket No.: 114205.1200

Customer No.: 21269

**PATENT**

1643

BOX-550

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of  
Denise R. COOPER & Niketa A. PATEL

: Confirmation No.:

: Group Art Unit: 1643

: Examiner: Anne-Marie BAKER, Ph.D.

Serial No. 09/435,471

Filed: November 8, 1999

Title: INTRODUCTION OF A GLUCOSE-  
REGULATED INSTABILITY ELEMENT  
VIA ALTERNATIVE EXON INCLUSION  
OF PKCBII mRNA IN VASCULAR  
SMOOTH MUSCLE CELLS

Assistant Commissioner for Patents and Trademarks  
Washington, D. C. 20231

Sir:

Transmitted herewith is an Amendment/Response for the above identified application.

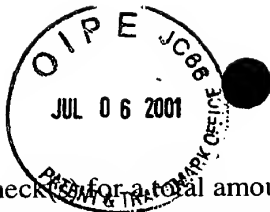
☐ Applicant(s) hereby request(s) a ☐ month(s) extension of time to respond to the above  
Office Action.

☐ Notice of Appeal

☒ Also attached: Sequence Listing Diskette; Paper Sequence Listing; Statement of Identity of  
Paper Listing and Diskette; and copy of Notice to Comply with Requirements .... for Sequence  
Listing.

The fee in connection with this Amendment/Response has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	[14]	[ 25 ]	0	x \$18 =	0
Independent Claims	[2]	[ 4 ]	0	x \$80 =	0
Multiple dependent claims newly presented, add \$270.00					
Fee for extension of time					
Fee for Notice of Appeal					
Reduction by ½ if Small Entity					
<b>TOTAL FEE DUE</b>					0



Docket [ ] [ENTER MATTER NO.]

- ☐ Check for a total amount of \$[ ] is/are enclosed.
- ☐ Please charge my Deposit Account No. 50-0436 in the amount of \$[ ]. An additional copy of this transmittal sheet is submitted herewith.
- ☒ The Commissioner is hereby authorized to charge payment of any missing or insufficient fees associated with this communication or credit any overpayment, to Deposit Account No. 50-0436, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

PEPPER HAMILTON LLP

Christopher J. Kay, Ph.D.

Registration No. 44,820

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DC: #191050 v1 (43#Y011.DOC) 114205-1200



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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02/035,471



COOPER

B

11/105,1000

021267

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600 FOURTEENTH  
WASHINGTON DC 20007

10012/0606

EXAMINER

PAKER, A

ART UNIT

PAPER NUMBER

1-32

9

DATE MAILED:

06/06/01

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JUL 7 2001

PEPPER HAMILTON

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

ENTERED IN SPI

Sequence Listing Due: 7/6/2001



*Applicants*  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/435,471	11/8/99	Cooper et al.	114205.1200



EXAMINER	
Anne-Marie Baker, Ph.D.	
ART UNIT	PAPER NUMBER
1632	

Please find below a communication from the EXAMINER in charge of this application

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Anne-Marie Baker, Ph.D. whose telephone number is (703) 306-9155. If the examiner cannot be reached, inquiries can be directed to Supervisory Patent Examiner Karen Hauda whose telephone number is (703) 308-6608. The fax number for the organization where this application or proceeding is assigned is (703) 308-8724.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

*Anne-Marie Baker*  
ANNE-MARIE BAKER  
PATENT EXAMINER

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

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**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**